

DOCKET NO: 290953US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
ROBERTO ROSA, ET AL. : EXAMINER: MULCAHY, P.D.  
SERIAL NO: 10/579,095 :  
FILED: MAY 12, 2006 : GROUP ART UNIT: 1796  
FOR: COMPOSITION CONTAINING A :  
SYNTHETIC RESIN AND A FILLER,  
METHODS FOR PRODUCING THE  
COMPOSITION AND FILMS OBTAINED  
FROM THIS COMPOSITION

DECLARATION OF INVENTOR YVES VANDERVEKEN

Now comes Yves Vanderveken, who deposes and states:

1. That I am an inventor of the above-identified U.S. patent application.
2. That described in this application is a composition containing at least:
  - (a) at least one synthetic resin selected from homopolymers and copolymers of ethylene, propylene, styrene, vinylidene chloride, acrylic acid, alkyl acrylates, methacrylic acid, alkyl methacrylates, acrylonitrile, vinyl acetate, vinyl alcohol, isoprene, chloroprene, vinyl fluoride, vinylidene fluoride, tetrafluoroethylene, copolymers of ethylene and alpha-olefins, copolymers of propylene and alpha-olefins other than propylene, copolymers of vinylidene chloride and vinyl chloride, copolymers of

vinylidene chloride and alkyl acrylates, copolymers of vinylidene chloride and alkyl methacrylates, copolymers of styrene, butadiene and rubber, copolymers of acrylonitrile and butadiene, copolymers of styrene and acrylonitrile, copolymers of acrylonitrile, butadiene and styrene, copolymers of vinylidene fluoride and hexafluoropropylene, polyesters, polyamides, polyurethanes, polycarbonates, polyphenylene ethers, polyimides, polyamide imides, polybenzimidazoles, polyalkylene oxides, polyetherether ketones, polyether sulfones, polyisocyanates, and polyphenylene sulfides; and

(b) at least one filler comprising at least (b1) at least one inorganic substance having a specific surface area higher than or equal to  $15 \text{ m}^2/\text{g}$  and (b2) at least one surface-active agent and/or at least one coating agent.

These compositions, as they exist as described in the above-identified patent application, exist in a physically dispersed state where the filler 1) is present in intimate admixture with, and 2) forms a dispersed phase within, the synthetic resin, and where the synthetic resin forms a continuous phase containing, therein, the filler in dispersed form.

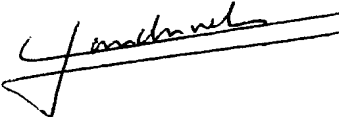
This physical state - filler dispersed in a continuous phase of synthetic resin - is evident from the original description of the compositions in the above-identified patent application and is the case in every instance.

For example, specification page 20, lines 15-23 of the above-identified patent application describes a procedure where 500g of synthetic resin was mixed with 7.5g of dry filler at  $50^\circ\text{C}$  for 6 hours in a slow premixer. This procedure provides a composition where the filler 1) is present in intimate admixture with, and 2) forms a dispersed phase within, the synthetic resin, and where the synthetic resin forms a continuous phase containing, therein, the filler in dispersed form.

Similarly, specification page 21, line 23 - page 22, line 11 of the above-identified patent application describes a procedure where an emulsion containing 200g synthetic resin was coagulated in the presence of 2.5% by weight filler. Again, this procedure provides a composition where the filler 1) is present in intimate admixture with, and 2) forms a dispersed phase within, the synthetic resin, and where the synthetic resin forms a continuous phase containing, therein, the filler in dispersed form.

3. The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

October 2, 2008  
DATE

  
Yves Vanderveken